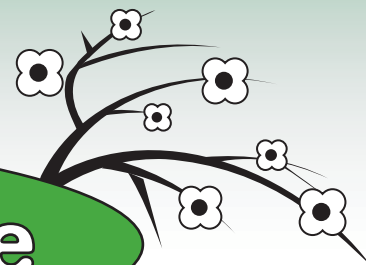


# The Business Advocate



**A newsletter for State Contracting and Purchasing Officials, Small Business Advocates, Small Businesses & Disabled Veteran Business Enterprises**

## In this issue:

### The Department of General Services Names Randall Martinez as Co-Chair of the Small Business Council

The Department of General Services has named Randall Martinez as Co-Chair of the Small Business Council (SBC). He will be serving as Co-Chair with Michelle Ogata, Manager of the Department of General Services, Procurement Division's Office of Small Business and Disabled Veteran Business Enterprise (DVBE) Outreach and Education.

During his two-year tenure, Martinez will strive to expand on the recent successes of the Council, specifically, by raising awareness of issues, programs, and procedures that are important to and/or impact small businesses; by availing procurement opportunities to an increased pool of qualified and certified small businesses; and by directing public and private financing and investment strategies towards the small business community.

Martinez is concerned that the overall downturn in the economy along with the energy crisis provides for a less than rosy future for California small businesses. He feels strongly that the initiatives begun by the SBC during the

past two years need to be implemented in order to help small businesses. The SBC developed a statewide proposal relative to the "Small Business Energy Efficiency Program," which is currently being discussed in conjunction with the State Power Authority, Public Utilities Commission, and Technology Trade and Commerce Agency. Although programs exist to assist major energy users, such as big businesses and even residential consumers, a comprehensive program targeted to California small businesses does not currently exist. Martinez feels that if this practice continues, small businesses will incur most of the suffering during the energy crisis, and we simply cannot let this happen.

Martinez serves as an Executive with Cordoba Corporation, a certified small business. Cordoba Corporation is a professional consulting firm that specializes in infrastructure development and information technology services. It is recognized by the Hispanic Business Magazine to be among the largest Hispanic-owned companies in the United States.

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### Our Office Has Moved!

The Department of General Services, Procurement Division has moved to the Ziggurat Building at 707 3<sup>rd</sup> Street, 2nd Floor, West Sacramento, CA 95605. Our telephone numbers have been changed. Please call our main line at (800) 559-5529 for individual staff telephone numbers. Our e-mail and Internet address have remained the same.

## **New Legislation Defining “Microbusiness” Benefits All Certified Small Businesses!**

Assembly Bill (AB) 1084, authored by Assembly Member Herb Wesson, effective January 1, 2002, makes numerous changes to the Small Business Procurement and Contract Act, Government Code Sections 14835–14843, as follows:

- Establishes a subset designation of small businesses as “microbusiness.” A microbusiness is a small business that, together with affiliates, has average annual gross receipts of \$2,500,000 or less over the previous three years, or is a manufacturer (as defined in Government Code 14837(c)) with 25 or fewer employees. The Office of Small Business/Disabled Veteran Business Enterprise (DVBE) Certification within the Department of General Services, Procurement Division, has modified their on-line inquiry system to identify microbusinesses.
- Adds a new 5% Subcontractor Preference. The Department of General Services will establish regulations to implement these provisions. Prime bidders may be eligible for a bid evaluation preference of up to 5% if they subcontract to certified small or microbusinesses. However, application of the preference cannot result in the denial of a contract award to a certified small or microbusiness. This preference will therefore, help primes as they compete against each other, but will not hurt certified small or microbusinesses. In addition, it encourages primes to subcontract with certified small and microbusinesses – a win/win situation for everybody!
- Extends the 5% small and microbusiness preference by providing that a 5% small and microbusiness preference be applied not only to solicitations where award is made on the basis of price or cost alone, but also to solicitations where award is made using a “point count,” “high score,” or “best value” methodology. These are the transactions where price or cost is considered in a formula together with other factors to arrive at the winning bidder. In the past, the 5% small business preference was applied only to the price or cost portion of the evaluation, thereby sometimes reducing the preference. With this new law, the preference will be applied to the other evaluation factors as well so that certified small and microbusinesses receive the full 5% preference. New regulations will also be required to implement this new preference.
- Adds new reporting requirements! The bill calls for state agencies to include in their current annual report on certified small business participation, the participation of microbusinesses as well. In addition, a new section has been added to the Public Contract Code (10116) that will require state agencies to begin reporting annually on the level of participation of all business enterprises by race, ethnicity, and gender of owner. Each awarding department will submit their reports directly to the Governor and the Legislature. Both awarding departments and contractors are prohibited from using the information in this report to discriminate or provide preferential treatment.



## **ATTENTION CERTIFIED FIRMS!**

*Help your Certified Small Business and Disabled Veteran Business Enterprise (DVBE) Gain Exposure to Opportunities: Self-Profiling System and Keyword Search*

In late August 2001, the Department of General Services, Procurement Division and its Small Business and DVBE Services Branch announced the certified firm self-profiling system, which is in affiliation with the Keyword Search. The Keyword Search provides an online tool where agencies as well as suppliers may locate California certified firms more easily. The Keyword Search focuses on customer agencies, and partnering suppliers may utilize keyword searches to locate certified firms with the potential to provide the goods, services, or construction services that will meet government needs. The certified firm self-profiling system focuses on firms' maintaining their particular business information and entering keywords for their certified business categories: goods, services, construction.

With over 9,000 California certified firms contained in the Keyword Search, a simplified tool was implemented whereby certified firms may self-maintain company good, service, or construction profiles electronically via the Internet. Upon entering the self-profiling system (located on Procurement Division website at [www.dgs.ca.gov/pd](http://www.dgs.ca.gov/pd) under "OSBCR Homepage"), certified firms have access to an electronic form that accommodates changing address, website, homepage, contact, service area, and keyword profiles.

By using the self-profiling system, firms are encouraged to identify keywords that directly represent the goods, services, or construction services they offer. By default, the keywords were populated with the Standard Industry Code (SIC) descriptions provided during the

certification process. Firms are encouraged to review and update their keywords to reflect their company offerings.

The self-profiling updates are coordinated and integrated with the Department of General Services, Procurement Division's Small Business and DVBE Services Branch, Business Information System for certified firms. Any updates that may impact a firm's certification status must be submitted in writing directly to the Office of Small Business and DVBE Certification.

Also in late August 2001, certified firms were mailed their account ID and password to access the self-profiling system. Firms who need assistance with this system may contact our partner service provider, Cordoba Corporation at (213) 895-0224.

### **Small Business Advocates Take on an Additional Role**

Assembly Bill (AB) 941, authored by Assembly Member Florez, effective January 1, 2002, requires each state agency that awards contracts to appoint a Disabled Veteran Business Enterprise (DVBE) Advocate. This individual is to be the same individual appointed as the agency Small Business Advocate.

Each DVBE Advocate will be responsible for:

- Assisting certified DVBEs in participating in the agency's contracting process,
- Assisting contract officers in seeking DVBEs to participate in the agency's contract and procurement activities, and
- Coordinating with the statewide DVBE Advocate in an effort to meet the three percent DVBE contract participation goal.

In addition, the new law extends the three percent DVBE participation program to include school districts when expending state funds.

For more information on AB 941 and other DVBE programs, please contact Joe Barajas, Office of Small Business and DVBE Outreach & Education, by phone at (916) 375-4587 or e-mail at [joe.barajas@dgs.ca.gov](mailto:joe.barajas@dgs.ca.gov).

## **California State University Directs Attention to Small Businesses and Disabled Veteran Business Enterprises (DVBE)**

As part of California State University's (CSU) continuing outreach programs, the Office of the Chancellor is actively seeking to dramatically increase the amount of business it conducts with both small businesses and Disabled Veteran Business Enterprises (DVBE) on its campuses throughout California. It is CSU's commitment to expand its supplier base and utilize both types of business enterprises to the maximum extent possible under the current provisions of the Public Contract Code.

The Contract Services and Procurement Department is responsible for the contracting of goods and services and CSU Planned Purchasing for the Office of the Chancellor. Each of the 23 individual campuses within the CSU system procures its own goods and services by working directly with suppliers.

Contracts for a broad variety of services and construction projects are competitively bid throughout the year. Examples include service and maintenance of equipment, cabling, air conditioning, electrical, janitorial, consulting, and temporary staffing assistance.

Goods and short-term service needs include books, periodicals, and other publications; computer equipment, software, and supplies; office and stationary supplies, and many types of paper stock.

The Capital Planning, Design, and Construction Division is directly responsible for awarding and administering all statewide capital planning, design, and construction of major building

projects. This very busy division contracts with architects, engineers, surveyors, environmental consultants, project managers and inspectors, along with material and soil testing service firms to successfully complete projects on all campuses throughout the state.

Mr. Loren House, Small Business Advocate of the Office of the Chancellor is currently working with Department of General Services, Procurement Division's Office of Small Business and DVBE Outreach & Education staff to implement a training program that will provide valuable information and material resources to each campus procurement office.

The training program will concentrate on updating campus procurement staff on the latest legislative and policy changes affecting the small business and DVBE programs, along with the development of effective outreach methods and projects designed to successfully identify potential suppliers for each campus location.

Mr. House has stated that the Office of the Chancellor is well aware of Governor Gray Davis' recent Executive Orders calling for the pursuit of aggressive action toward meeting an annual 25% small business contracting participation level and awarding at least 3% of state contracting opportunities to certified DVBEs. Mr. House is confident that by teaming resources with Department of General Services, Procurement Division staff, the CSU network of 23 unique campuses will make great strides toward meeting these objectives.

# Californians Met the Energy Challenge This Summer; Winter/Spring Will Test Our Commitment

Congratulations and thanks to every Californian who contributed to the state's success in meeting the energy challenge this summer! Your commitment to conservation played a major role in preventing rolling blackouts.

This year, the State and Consumer Services Agency, Department of General Services and other state offices significantly cut electricity use from January through the end of August compared to the same period in 2000. For example, in monitoring 37 of the state's largest office buildings covering nearly 12 million square feet, the Department of General Services has recorded an average 22.4 percent drop in electricity use. Despite hikes in utility rates, the state was still able to save more than \$800,000 in cities such as Sacramento, Los Angeles, San Francisco, Oakland, San Diego, Van Nuys, and Riverside.

While the state has made extraordinary progress in bringing new power generation on line, the threat of shortages remains real. Conservation, both now and for the long term, will continue to be an important part of the strategy to keep the lights on.

Winter months present challenges just as tough as the summer months. There are increased demands for power across the state for lighting, heating, and other priorities, so we cannot let our guard down just because the seasons have changed.

Below are some practical cool weather tips from the Flex Your Power website that will help all of us continue to save power, save money, and keep electricity flowing to all California communities.

## Cool Weather Tips...

- Set your thermostat to 68 degrees when you're home and 55 degrees at night, or off when you're away.
- Use your appliances wisely.
- Turn off appliances, lights, and equipment when not in use.
- To help prevent electricity outages, do not run large appliances between 5 a.m. – 9 a.m. and 4 p.m. – 7 p.m.
- Do your laundry efficiently by using the warm or cold water setting for washing your clothes and always use cold water to rinse clothes.
- Conserve energy by running your dishwasher only when it is fully loaded, and turn off the dry cycle to allow dishes to air dry instead.

## Inexpensive Energy Solutions...

- Choose Energy Star<sup>®</sup> products. Purchase compact fluorescent light bulbs. They use a quarter of the energy and last five to ten times longer than conventional light bulbs.
- Reduce your hot water temperature. Set your water heater to the "normal" setting or 120 degrees unless the owner's manual for your dishwasher requires a higher setting.
- Replace furnace filters once a month. Dirty filters restrict airflow and increase energy use. Keep your furnace clean, lubricated, and properly adjusted.
- Install low-flow showerheads. You'll be surprised how much this simple device can cut your hot water costs.
- Wrap your hot water tank with jacket insulation. If your water heater is gas, be sure to leave the air intake vent uncovered.

## Eliminate Wasted Energy...

- Turn off lights in unoccupied rooms.
- Unplug electronic devices and chargers when they are not in use.
- Close the damper on your fireplace when you're not using it.
- Unplug that spare refrigerator in the garage if you don't really need it.
- Check out [www.flexyourpower.ca.gov](http://www.flexyourpower.ca.gov) for more information and ways to save money!





## State Contracting Recognition Awards 2001

The second annual State Contracting Recognition Awards 2001 took place on September 11, 2001 at Vizcaya in Sacramento, California to recognize the outstanding achievements of six state agencies for developing and implementing effective programs to promote increased contracting opportunities for small businesses and Disabled Veteran Business Enterprises (DVBE). Special awards were also presented to various departments and individuals for their accomplishments in the small business and DVBE arena.

After carefully reviewing 26 nominations, a panel of three distinguished judges from the private sector as well as professional organizations selected the six awardees. The panel included Aubry Stone of the California Black Chamber of Commerce, Patrick Joyce of the County of Los Angeles, and Vince O'Hara of Talk Technology. Their final selections resulted in one first-place awardee (the Gold Award), two second-place awardees (the Silver Award), and three third-place awardees (the Bronze Award). In making their selections, the panel placed particular emphasis on assessing the relative ease with which each recipient's program can be replicated by other departments.

The **Gold Award** was presented to the Franchise Tax Board (FTB) for achieving small business participation on a large technology contract through fostering a partnership between a small business, Capital Data Corporation, and a large business, GE Capital. On March 2, 2001, the FTB conducted a market survey for best pricing to competitively assess goods, services, and prices. The FTB established the policy that all solicitations must include a small business, and sent the market survey to six suppliers, four of which were certified small businesses. The surveys were evaluated based on four rating factors, which included the Gold Partner Rating, the highest rating,

indicating the supplier would fulfill the critical support requirement; the cost; if the supplier was a certified small business; and Customer References. Capital Data Corporation, a small business, met two of the four rating factors, and GE Capital, a large business, met three of the four rating factors. At this point, the FTB could have awarded the contract to GE Capital, but since the FTB is serious about its commitment to increasing certified small business participation, the department fostered a partnership between the two businesses.

The **Silver Award** was presented to the Prison Industry Authority (PIA) and the Department of Corrections' Folsom State Prison.

The PIA received this award for building upon the "Gold Award Winning" PIA Game Plan from Year 2000, which was created in response to making small business a big deal. To facilitate carrying out the plan, the organization created what it calls a "Small Business Tool Kit." It familiarizes staff with the small business and DVBE programs, and helps them identify potential small business and DVBE suppliers. It also provides guidance to small businesses and DVBEs on how to do business with the state. The PIA's Game Plan 2001

continues the organization on its successful path toward making small business - to use the PIA's own words - "a big deal."

The Department of Corrections' Folsom State Prison received the Silver Award for implementing improvements in three areas, which included the implementation of a relaxed, one-bid policy for purchases valued under \$2,500, replacing its former policy, which only permitted one bid for purchases valued at less than \$1,000; the implementation of a quarterly report that shows small business and DVBE participation in purchase awards by each unit within the organization; and the establishment of quarterly recognition awards to recognize individuals who achieve the highest participation by small businesses and DVBEs in purchase awards. These efforts have resulted in the department's DVBE participation level to increase from 1.9% to 21% and the small business participation level to consistently exceed the 25% goal.

The **Bronze Award** was presented to the Department of Transportation (Caltrans), the California Highway Patrol (CHP), and the Department of Corporations.

Caltrans was presented with this award for successfully establishing its bi-weekly Information Technology (IT) Vendor Conferences to promote IT bids for services, software, and hardware purchased through the California Multiple Award Schedule (CMAS) and Master Services Agreement (MSA) programs. The department established the conferences with the objective of increasing its base of qualified suppliers, with emphasis on increasing its base of certified small business and DVBE suppliers. The conferences are paying off as Caltrans is creating a larger and more diverse supplier base for its IT services, hardware, and software requirements. The supplier base for its IT requirements have increased from 30 at the beginning of the project to over 300. Caltrans has increased their small business participation from 9% during last fiscal year to 19.3% this fiscal year.

The CHP received this award for developing an Accounts Payable Weekly



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Invoice Status Report to ensure prompt payment of all invoices, especially small business and DVBE invoices, which account for 1,500 of the 10,000 invoices processed each month. Coupled with the recent reorganization of the CHP's Accounts Payable Unit, this reporting system allows management and staff to efficiently and effectively monitor invoices to avoid late payments to small businesses and DVBEs. Last year, before the emergence of this new reporting system, there was an average of five late payment penalties per month, compared to one per month today.

The Department of Corporations was given this award for its internal "Cooperative Effort" activities. With the objective of increasing small business and DVBE participation in contracting opportunities, the department's Business Services Office (BSO) staff contacted small businesses and DVBEs directly to clarify what goods or services they provide, and then the department's procurement staff communicated that information to department users and obtained agreements with them to consider the suppliers for their requirements. To ensure enhancement of the department's cooperative environment, a Small Business and DVBE Advocate was appointed to oversee and strengthen the department's activities in identifying and promoting opportunities for small businesses and DVBEs. This cooperative effort has resulted in and increase in the department's small business participation rate of 35.7% in Fiscal Year 1999/2000 to 28.4% through March 31, 2001.

Congratulations to all recipients of last year's awards for their superior accomplishments in the small business and DVBE arena. This event was a huge success, and we look forward to seeing you at the third annual State Contracting Recognition Awards ceremony taking place later this year. Please note this event is by invitation only.

## **Governments Working Together to Support Small Businesses**

The Department of General Services, Procurement Division believes its progressive "Reciprocity Project," which is currently being presented to local agencies, will bring about changes to the small business certification process that will positively impact the small business community.

Frustrated small business owners, inundated by perceived reams of government paperwork, have made it known that they want to complete only one certification application, submit one set of support documents, and undergo one thorough review process in order to meet the small business program requirements of numerous governmental agencies simultaneously, as opposed to just one agency at a time.

In response, the Procurement Division recently put a Reciprocity Team into action. The Reciprocity Team is spearheading an effort to bring the State of California and local agencies together in partnerships to support one primary small business certification criteria throughout California. Although the realization of "One-Stop Small Business Certification" will not happen overnight, the Reciprocity Team is committed to achieving this ground-breaking goal.

While "reciprocity" has value for state and local agencies, the advantage to small business is the heart of the project. Advantages like a singular, standardized small business certification process will mean less paperwork and time spent; and combined government resources will mean greater visibility and expanded network opportunities as well as increased access to contracting opportunities for small businesses.

Governments working together to support California small businesses –it's about time!



## A Small Business, NewPoint Group, Inc., Benefits from State of California Purchasing Process Changes

NewPoint Group, Inc. is a California small business that specializes in public sector consulting. The firm is headquartered in Sacramento and has eight full-time employees.

The firm's three Directors (Ben Frank, Jim Gibson, and Ed Kaempf) founded the firm in 1995. Their combined experience contributes to the firm's participation in over 500 public sector consulting engagements.

The specialized experience of NewPoint Group personnel sets them apart—perhaps uniquely so—from other management consulting firms serving the public sector. Their team of “seasoned” Principals and Senior Associates all have at least ten years of public sector consulting experience. Some of their most senior Directors have nearly 25 years of California state government consulting experience. Their extensive experience enables them to work effectively across a broad spectrum of programs, and at all levels within a client's organization.

NewPoint Group's largest client is the State of California. More than three-fourths of the firm's business since its inception has been with various California state government agencies and departments. Generally, the firm focuses on mid-sized projects with fees ranging from approximately \$50,000 up to \$500,000, but the firm also has successfully performed a small number of even larger, multi-year engagements.

The majority of NewPoint Group's California state government contracts have been awarded using a Master Service Agreement (MSA), a California Multiple Award Schedule (CMAS), or more recently, Senate Bill (SB) 1049 contracting processes. All of these contracting processes enable state agencies to use streamlined and simplified informal bidding methods to award contracts up to \$100,000 (or \$500,000 in the case of CMAS Information Technology contracts). As a result, the firm is able to obtain new business without having to consume unnecessary time and resources preparing traditional proposals. Additionally, these new contracting methods have helped the firm to provide higher quality goods and services to the state and, thereby, build better long-term partnership relationships. In the absence of these innovative contracting processes, NewPoint Group would probably be doing substantially less business with the State of California. Many NewPoint Group state clients have provided the firm with additional contracting opportunities and have helped to ensure that their invoices were promptly paid (oftentimes within just a few weeks). Overall, NewPoint Group has had a positive and mutually beneficial contracting relationship with the State of California.

### **Do You Want to Share Your Small Business and/or DVBE Success Story with Others?**

We are inviting certified small businesses and Disabled Veteran Business Enterprises (DVBEs) to share their success stories with our readers. In each issue of “The Business Advocate,” we would like to publish an article about a certified small business and/or DVBE who has been successful in doing business with the state. Your article should include a brief description of your firm as well as your successes in doing business with the state. We encourage all small businesses and DVBEs to get certified with the State of California and we are hoping that these success stories will assist with our objective of getting all California small businesses state-certified. Submissions may be sent to:

Wendy Zeto, Small Business/DVBE Advocate

**Department of General Services  
Procurement Division  
Office of Small Business and DVBE Outreach and Education  
707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor  
West Sacramento, CA 95605**

Questions may be directed to Wendy Zeto by phone at (916) 375-4572 or by e-mail at [wendy.zeto@dgs.ca.gov](mailto:wendy.zeto@dgs.ca.gov).

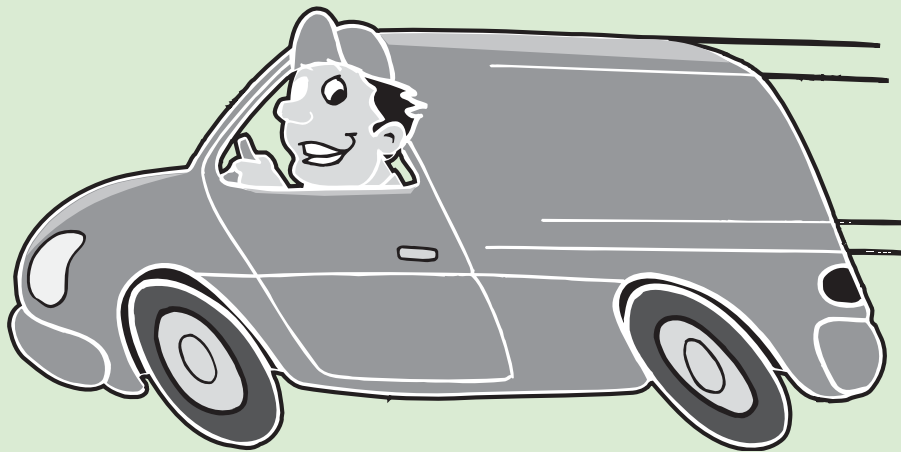


## **Assembly Bill 737 Enables Streamlined Contracting for DVBEs!**

Assembly Bill (AB) 737, effective January 1, 2002, modifies the language in Government Code 14838.5 that permits state agencies to use a streamlined contracting process when contracting with certified small businesses for goods, services, and construction contracts up to \$100,000. AB 737 adds another tool for state agencies to use in their efforts to achieve and exceed the annual Disabled Veteran Business Enterprise (DVBE) goal, by permitting state agencies to use the streamlined process when contracting with DVBEs!

Under the streamlined process, state agencies need only to obtain price quotations from two certified small businesses or two certified DVBEs, or one of each, and then make their award. There is no requirement for advertising, no sealed bidding, and no protests of award for these transactions, so they can be processed much quicker than the more formalized competitive bids.

The Department of General Services will soon issue guidelines to state agencies regarding this new authority, so be sure to check the department's website often at [www.dgs.ca.gov](http://www.dgs.ca.gov)!



## Business Community Training (BCT)

The Department of General Services, Procurement Division offers a free course designed especially for business owners who want to do business with the state. It's called State Contracting 101: Tips for the Competitive Edge.

Whether you've bid on a few state contracts, but didn't fully understand the process, or you've never bid on state contracts, this course will give you a better understanding of the contracting process. Best of all, next time you submit a bid, you can do it with confidence.

Below is the upcoming schedule for this course:

<u>Location</u>	<u>Class Dates</u>	<u>Time</u>
Riverside	April 17-18	8:30 a.m. – 4:30 p.m.
Santa Maria	April 24-25	8:30 a.m. – 4:30 p.m.
Torrance/Inglewood	May 15-16	8:30 a.m. – 4:30 p.m.
Sacramento	June 5-6	8:30 a.m. – 4:30 p.m.

## Business Community Workshop (BCW)

The State of California contracts out over \$6 billion every year to private businesses like yours. Find out how to be a part of these contracting opportunities by attending a free Business Community Workshop.

- You will be introduced to the vast contracting opportunities offered by the State of California.
- Learn where to find government contracting opportunities quickly and easily.
- Learn what a "DVBE" is and why knowing the answer may be vital to your state contracting success.

Below is the upcoming schedule for this course:

<u>Location</u>	<u>Class Dates</u>	<u>Time</u>
San Jose	May 7	6:00 p.m. – 8:00 p.m.
San Mateo	May 8	9:30 a.m. – 11:30 a.m.
Sacramento	May 21	9:30 a.m. – 11:30 a.m.
Sacramento	June 4	9:30 a.m. – 11:30 a.m.

For more information, visit the Procurement Division website at [www.dgs.ca.gov/pd](http://www.dgs.ca.gov/pd) under "CAMMI."

To register for the BCT and/or BCW, contact Georgia Welsh by phone at (916) 375-4335 or by e-mail at [georgia.welsh@dgs.ca.gov](mailto:georgia.welsh@dgs.ca.gov).



## **“The Business Advocate”**

is available to view or download at the  
Procurement Division website at  
[www.dgs.ca.gov/pd](http://www.dgs.ca.gov/pd) under “Small Business”

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